

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-fifth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1012**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of  
2 human services; to provide for the transfer of appropriations between agencies and institutions;  
3 to create and enact section 50-06-14.4 of the North Dakota Century Code, relating to projects  
4 involving services for the alzheimer's and related dementia population; to provide an exemption  
5 from section 54-44.1-11 and to authorize the sale of certain buildings on the grounds of the  
6 state hospital to the department of corrections and rehabilitation; to amend and reenact  
7 sections 25-04-20, 50-06-14.3, and 50-24.1-02.2 of the North Dakota Century Code, to amend  
8 and reenact the new section to chapter 23-09.3 of the North Dakota Century Code as created  
9 by section 2 of chapter 254 of the 1995 Session Laws and the new section to chapter 23-16 of  
10 the North Dakota Century Code as created by section 3 of chapter 254 of the 1995 Session  
11 Laws, and to amend and reenact section 4 of chapter 561 of the 1991 Session Laws as  
12 amended by section 18 of chapter 2 of the 1993 Session Laws and by section 9 of chapter 34  
13 of the 1995 Session Laws, relating to the westwood park assets management committee,  
14 human service center directors, state basic care program, a moratorium on long-term care bed  
15 capacity, and community resource allowance; to provide for a legislative council study and  
16 reports to the budget section; to provide an effective date; to provide an expiration date; and to  
17 declare an emergency.

18 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

19 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
20 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in  
21 the state treasury, not otherwise appropriated, and from special funds derived from federal  
22 funds and other income, to the department of human services and its various divisions, for the  
23 purpose of defraying their expenses, for the biennium beginning July 1, 1997, and ending  
24 June 30, 1999, as follows:

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1 Subdivision 1.

2 MANAGEMENT AND COUNCILS

3	Salaries and wages	\$ 8,851,202
4	Operating expenses	13,191,666
5	Equipment	87,939
6	Grants	715,477
7	Loan fund - DD	<u>1,840,956</u>
8	Total all funds	\$ 24,687,240
9	Less estimated income	<u>14,208,075</u>
10	Total general fund appropriation	\$ 10,479,165

11 Subdivision 2.

12 ECONOMIC ASSISTANCE

13	Salaries and wages	\$ 8,841,828
14	Operating expenses	29,299,101
15	Equipment	52,736
16	Capital improvements	2,543
17	Grants - assistance payments	194,255,042
18	Grants - medical assistance	<u>611,089,860</u>
19	Total all funds	\$ 843,541,110
20	Less estimated income	<u>650,438,393</u>
21	Total general fund appropriation	\$ 193,102,717

22 Subdivision 3.

23 PROGRAM AND POLICY

24	Salaries and wages	\$ 9,528,238
25	Operating expenses	13,589,797
26	Equipment	332,545
27	Capital improvements	1,619
28	Grants	<u>101,075,469</u>
29	Total all funds	\$ 124,527,668
30	Less estimated income	<u>88,359,895</u>
31	Total general fund appropriation	\$ 36,167,773

1	Subdivision 4.		
2		NORTHWEST HUMAN SERVICE CENTER	
3	Total all funds		\$ 7,753,411
4	Less estimated income		<u>3,801,225</u>
5	Total general fund appropriation		\$ 3,952,186
6		NORTH CENTRAL HUMAN SERVICE CENTER	
7	Total all funds		\$ 12,567,842
8	Less estimated income		<u>6,512,482</u>
9	Total general fund appropriation		\$ 6,055,360
10		LAKE REGION HUMAN SERVICE CENTER	
11	Total all funds		\$ 7,218,639
12	Less estimated income		<u>3,202,436</u>
13	Total general fund appropriation		\$ 4,016,203
14		NORTHEAST HUMAN SERVICE CENTER	
15	Total all funds		\$ 15,851,751
16	Less estimated income		<u>8,531,389</u>
17	Total general fund appropriation		\$ 7,320,362
18		SOUTHEAST HUMAN SERVICE CENTER	
19	Total all funds		\$ 16,744,297
20	Less estimated income		<u>9,865,116</u>
21	Total general fund appropriation		\$ 6,879,181
22		SOUTH CENTRAL HUMAN SERVICE CENTER	
23	Total all funds		\$ 9,347,902
24	Less estimated income		<u>4,421,354</u>
25	Total general fund appropriation		\$ 4,926,548
26		WEST CENTRAL HUMAN SERVICE CENTER	
27	Total all funds		\$ 14,984,354
28	Less estimated income		<u>7,981,184</u>
29	Total general fund appropriation		\$ 7,003,170
30		BADLANDS HUMAN SERVICE CENTER	

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1	Total all funds	\$ 8,118,947
2	Less estimated income	<u>3,837,857</u>
3	Total general fund appropriation	\$ 4,281,090

4 STATE HOSPITAL

5	Operations	\$ 54,618,607
6	Capital improvements	<u>1,901,400</u>
7	Total all funds	\$ 56,520,007
8	Less estimated income	<u>19,038,738</u>
9	Total general fund appropriation	\$ 37,481,269

10 DEVELOPMENTAL CENTER

11	Operations	\$ 39,233,420
12	Capital improvements	<u>262,000</u>
13	Total all funds	\$ 39,495,420
14	Less estimated income	<u>30,158,522</u>
15	Total general fund appropriation	\$ 9,336,898
16	Total all funds - subdivision 4	\$ 188,602,570
17	Total estimated income - subdivision 4	\$ 97,350,303
18	Total general fund appropriation - subdivision 4	\$ 91,252,267

19 Subdivision 5.

20 COMPUTER TECHNOLOGY APPROPRIATION

21	Total all funds	\$ 9,341,240
22	Less estimated income	<u>3,530,403</u>
23	Total general fund appropriation	\$ 5,810,837
24	Grand total general fund appropriation H.B. 1012	\$ 336,812,759
25	Grand total special fund appropriation H.B. 1012	\$ 853,887,069
26	Grand total all funds H.B. 1012	\$1,190,699,828

27 **SECTION 2. LANDS AND MINERALS TRUST FUND.** The amount of \$1,840,956, or  
28 so much of the sum as may be necessary, as appropriated in the developmentally disabled  
29 facility loan fund line item in section 1 of this Act, may be expended by the department of  
30 human services from the lands and minerals trust fund for the purpose of making payments of  
31 principal and interest to the common schools trust fund on any loans made from it pursuant to

the developmentally disabled loan fund program nos. 2 and 3 for the biennium beginning July 1, 1997, and ending June 30, 1999.

**SECTION 3. DEVELOPMENTAL DISABILITIES REVOLVING LOAN FUND.** There may be expended by the department of human services, on or before June 1, 1999, from the cash balance of, and any payments deposited in, the revolving loan fund created under section 6-09.6-01, the sum of \$1,183,748, or so much of the sum as may be necessary, which is appropriated in section 1 of this Act.

**SECTION 4. TRANSFER.** Subject to the provisions of chapter 54-16, the director of the department of human services may transfer appropriation authority between agencies and institutions included in subdivisions 1 through 5 of section 1 of this Act.

**SECTION 5. CORRELATION OF RESOURCES FOR DEPARTMENTAL CLIENTS.** Notwithstanding section 4 of this Act, the director of the department of human services may transfer appropriation authority and authorized positions between agencies and institutions included within subdivision 4 of section 1 of this Act to correlate fiscal and staff resources with the flow of institutional residents and human service center clients between community-based programs and institutions. The transfers from human service centers require prior consultation with the regional human service center advisory boards. To the extent permitted by law, the department of human services shall structure the financing arrangements between the state and counties so as to relieve county social service boards of fiscal responsibility for grants to and for recipients in the temporary assistance for needy families program in exchange for increased county responsibility for financing the local cost of administering the program.

**SECTION 6. LEGISLATIVE INTENT - HUMAN SERVICE CENTER AND INSTITUTIONAL SERVICES.** It is the intent of the legislative assembly that while the legislative assembly is allowing the human service centers and institutions more funding flexibility during the 1997-99 biennium, the human service centers and institutions are expected to:

1. Continue to utilize standards, guidelines, practices, and core services in effect on March 1, 1997, for providing human services pursuant to subsection 2 of section 50-06-05.3.
2. Continue to strive toward improving the quality of services and monitor and strive to achieve successful client outcomes.

3. Maximize available federal or other funds to provide services and for service enhancements in consultation with the central office.

4. Utilize innovative and effective methods of service delivery in order to achieve cost savings or to enhance the level of services provided to clients.

Human service centers are to provide appropriate community services to continue the trend of fewer state hospital and developmental center admissions in order to serve clients, to the extent possible, in a least restrictive environment.

**SECTION 7. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT EMPLOYEES - REPORTS TO THE BUDGET SECTION AND THE LEGISLATIVE COUNCIL.** It is the intent of the legislative assembly that the human service centers, the state hospital, and the developmental center report to the budget section and the legislative council, or its designee, on the hiring of any additional full-time equivalent positions in addition to those authorized by the legislative assembly during the biennium beginning July 1, 1997, and ending June 30, 1999.

**SECTION 8. HUMAN SERVICE CENTER SERVICE COSTS - REIMBURSEMENT SYSTEM.** Each regional human service center shall report its services provided during the biennium beginning July 1, 1997, and ending June 30, 1999, on a cost per service basis in a form designated by the executive director of the department of human services. The department shall analyze the data collected and develop, for the 1999-2001 biennium, a standardized reimbursement system for the human service centers based on service costs and any supplemental payment costs to be incorporated into the department's 1999-2001 biennium budget request.

**SECTION 9. EXEMPTION - BUDGET SECTION APPROVAL AND REPORT.** The general fund appropriations contained in subdivision 4 of section 1 of this Act are not subject to section 54-44.1-11. Any unexpended funds from these appropriations are available during the biennium beginning July 1, 1999, and ending June 30, 2001. The department of human services shall report to the budget section of the legislative council on the status of these appropriations at its fall 1998 and 1999 meetings.

**SECTION 10. AMENDMENT.** Section 25-04-20 of the North Dakota Century Code is amended and reenacted as follows:

1           **25-04-20. Westwood park assets management committee.** The westwood park  
2 assets management committee consists of eleven members appointed by the governor as  
3 follows: three members of the senate, two from the majority faction and one from the minority  
4 faction, and three members of the house of representatives, two from the majority faction and  
5 one from the minority faction; a representative of the department of human services; a  
6 representative of the department of economic development and finance; a representative of the  
7 attorney general's office; the mayor of Grafton; and the governor or the governor's designee.  
8 ~~The officers of the westwood park assets management committee must be elected annually.~~  
9 The governor shall appoint a chairman. Any state agency may serve in an advisory capacity to  
10 the westwood park assets management committee at the discretion of the committee. The  
11 committee shall meet at ~~least twice each year and at other~~ such times as the committee or its  
12 chairman may direct. The legislative members of the committee are entitled to receive the  
13 same compensation per day as provided in section 54-35-10 for members of the legislative  
14 council and the necessary mileage and travel expenses provided in sections 44-08-04 and  
15 54-06-09 while attending committee meetings or in the performance of such special duties as  
16 the committee may direct. The compensation provided for in this section may not be paid to  
17 any member of the committee who received salary or other compensation as a regular  
18 employee of the state, or any of its political subdivisions, or any institution or industry operated  
19 by the state. The westwood park assets management committee shall act when the legislative  
20 assembly is not in session to sell, ~~lease, and otherwise manage~~ the property of westwood park,  
21 subject to prior budget section approval. The department of human services shall provide staff  
22 services for the westwood park assets committee. Any conveyance made by the committee  
23 under this section is exempt from sections 54-01-05.2 and 54-01-05.5.

24           **SECTION 11. AMENDMENT.** Section 50-06-14.3 of the 1995 Supplement to the North  
25 Dakota Century Code is amended and reenacted as follows:

26           **50-06-14.3. Department of human services to develop basic care facility**  
27 **ratesetting methodology.** The department of human services shall develop a ratesetting  
28 methodology that provides for rates for all residents of basic care facilities that receive  
29 payments from the state or any political subdivision. The methodology may not provide for  
30 different rates for similarly situated residents because of the source of payment for any  
31 resident's care. The department shall consult with representatives of the basic care industry in

1 this state in developing the ratesetting methodology. Beginning July 1, ~~1997~~ 1999, the  
2 department shall establish rates for all residents of basic care facilities that receive payments  
3 from the state or any political subdivision in accordance with the ratesetting methodology  
4 developed by the department. After June 30, ~~1997~~ 1999, no agency of the state or any political  
5 subdivision may make payments to a basic care facility that does not set rates at the levels  
6 established by the department.

7 **SECTION 12.** Section 50-06-14.4 of the North Dakota Century Code is created and  
8 enacted as follows:

9 **50-06-14.4. Alzheimer's and related dementia projects.** The department of human  
10 services shall establish projects designed to meet the service needs of the alzheimer's and  
11 related dementia population. The projects established under this section must explore the  
12 financial and service viability of converting existing nursing facility or basic care capacity to a  
13 specific service environment that targets the alzheimer's and related dementia population. The  
14 state department of health shall cooperate with the department to ensure the success of the  
15 projects. The projects may be established notwithstanding subsections 2, 5, 10, and 11 and  
16 subdivision c of subsection 9 of section 50-24.5-01, relating to definitions for aid to aged, blind,  
17 and disabled persons, and subsection 1 of section 23-09.3-01, relating to the definition of a  
18 basic care facility.

19 **SECTION 13. AMENDMENT.** Section 50-24.1-02.2 of the 1995 Supplement to the  
20 North Dakota Century Code is amended and reenacted as follows:

21 **50-24.1-02.2. Community spouse resource allowance.** In determining eligibility for  
22 medical assistance applicants and recipients, the department of human services shall establish  
23 a community spouse resource allowance equal to the maximum community spouse resource  
24 allowance as provided by 42 U.S.C. 1396r-5(f)(2). This section applies to a community spouse  
25 of an institutionalized spouse. For purposes of this section, "institutionalized spouse" includes  
26 an individual who is described in 42 U.S.C. 1396a(a)(10)(A)(ii)(VI).

27 **SECTION 14. AMENDMENT.** The new section to chapter 23-09.3 of the North Dakota  
28 Century Code as created by section 2 of chapter 254 of the 1995 Session Laws is amended  
29 and reenacted as follows:

30 **Moratorium on expansion of basic care bed capacity.** ~~During the period after~~  
31 ~~July 31, 1995, and before August 1, 1997,~~ Except when existing beds are converted for use by



1 the alzheimer's and related dementia population under the projects provided for in section  
2 50-06-14.4, the state department of health and consolidated laboratories may not issue a  
3 license under this chapter for any additional bed capacity unless the expanded bed capacity  
4 was approved by the health council under chapter 23-17.2 before August 1, 1995 above the  
5 state's gross licensed capacity of one thousand four hundred seventy-one beds, adjusted by  
6 any reduction in beds before July 31, 1997, during the period between August 1, 1997, and  
7 July 31, 1999. Transfers of existing beds from one municipality to another municipality may be  
8 approved during the period August 1, 1997, to July 31, 1999, only to the extent that for each  
9 bed transfer approved the total number of licensed beds in the state is reduced by the same  
10 number transferred.

11 **SECTION 15. AMENDMENT.** The new section to chapter 23-16 of the North Dakota  
12 Century Code as created by section 3 of chapter 254 of the 1995 Session Laws is amended  
13 and reenacted as follows:

14 **Moratorium on expansion of long-term care bed capacity.** Notwithstanding sections  
15 23-16-06 and 23-16-10, ~~during the period after July 31, 1995, and before August 1, 1997~~  
16 except when existing beds are converted for use by the alzheimer's and related dementia  
17 population under the projects provided for in section 50-06-14.4, the state department of health  
18 and consolidated laboratories may not issue a license for any additional bed capacity unless  
19 the expanded bed capacity was approved by the health council under chapter 23-17.2 before  
20 August 1, 1995 above the state's gross licensed capacity of seven thousand one hundred forty  
21 beds, adjusted by any reduction in beds before July 31, 1997, during the period between  
22 August 1, 1997, and July 31, 1999. Transfers of existing beds from one municipality to another  
23 municipality may be approved during the period August 1, 1997, to July 31, 1999, only to the  
24 extent that for each bed transfer approved the total number of licensed beds in the state is  
25 reduced by the same number transferred. Certificate of need projects approved by the state  
26 health council before July 31, 1995, and not completed as of the effective date of this legislation  
27 are considered to be within the state's licensed long-term care bed capacity as authorized by  
28 this section and may be completed. Contracts providing for long-term care bed transfers within  
29 the state to be completed by January 1, 1998, and not exceeding the state's licensed long-term  
30 care bed capacity as authorized by this section must be signed before May 1, 1997.

1           **SECTION 16. AMENDMENT.** Section 4 of chapter 561 of the 1991 Session Laws as  
2 amended by section 18 of chapter 2 of the 1993 Session Laws and by section 9 of chapter 34  
3 of the 1995 Session Laws is amended and reenacted as follows:

4           **SECTION 4. PROCEEDS - APPROPRIATION.** The proceeds from the sale of land,  
5 property, and equipment at westwood park must be deposited in the lands and minerals trust  
6 fund. There is hereby appropriated \$200,000, or so much thereof as may be necessary, from  
7 the lands and minerals trust fund, to the department of human services for capital  
8 improvements or demolition of existing buildings at westwood park for the period beginning  
9 July 1, 1991, and ending June 30, ~~1997~~ 1999.

10           **SECTION 17. TRANSFER OF LAND AUTHORIZED.**

- 11           1. The department of human services may sell to the department of corrections and  
12 rehabilitation the forensic unit building, the ET building and adjacent gymnasium,  
13 and surrounding real property.
- 14           2. The authorized sale is exempt from sections 54-01-05.2 and 54-01-05.5.

15           **SECTION 18. EXEMPTION FROM BIDDING REQUIREMENTS.** Notwithstanding any  
16 other provision of law relating to public contracts or bidding requirements, the department of  
17 human services may contract and expend funds for the renovation of the state hospital to  
18 accommodate patients as a result of any sale of the property described in section 17 of this Act.

19           **SECTION 19. COMPUTER DEVELOPMENT COSTS - BUDGET SECTION**  
20 **REPORTING.** The appropriation in subdivision 5 contains funding for the following computer  
21 development projects:

1		GENERAL	OTHER	
2	PROJECT	FUND	FUNDS	TOTAL
3	TEEM - release 3	\$ 899,607	\$ 473,037	\$1,372,644
4	RESPOND - release 3	260,583	137,021	397,604
5	State hospital	3,711,031		3,711,031
6	Medical - TANF	379,307	2,537,922	2,917,229
7	Child care	164,666	164,666	329,332
8	Integrated case	395,643	217,757	613,400
9	management			
10	Total	\$5,810,837	\$3,530,403	\$9,341,240

11 The department of human services shall receive prior budget section approval before  
12 exceeding the costs for the named projects. If savings are projected for the computer projects,  
13 the department of human services may request budget section approval to start other projects  
14 with projected savings.

15 The department, as it develops the reforming and enhancing services for the people of  
16 North Dakota (RESPOND) computer system, shall periodically report to the budget section of  
17 the legislative council during the 1997-99 biennium on the status of the development of the  
18 system, system costs and benefits, and the receipt of the matching federal funds. The  
19 department may not spend general fund appropriations made by the fifty-fifth legislative  
20 assembly for the RESPOND computer system unless approval for the matching federal funds  
21 in the amounts estimated during the fifty-fifth legislative assembly has been received from the  
22 appropriate federal agency.

23 Except as may be waived by approval of the budget section of the legislative council,  
24 the department of human services shall meet the requirements provided by the administration  
25 for children and families of the United States department of health and human services in its  
26 communication dated February 12, 1997, related to the state's development of the reforming  
27 and enhancing services for the people of North Dakota (RESPOND) and training, education,  
28 employment, and management (TEEM) project. The requirements include information  
29 regarding client eligibility and expert system rules, cost benefit analysis for the TEEM and  
30 RESPOND projects, and a revised budget for the TEEM and RESPOND projects.

1           **SECTION 20. LEGISLATIVE INTENT - COMPUTER DEVELOPMENT.** It is the intent  
2 of the legislative assembly that the department of human services not enter into contracts for  
3 computer development that require the expenditure of funds in future bienniums without the  
4 prior approval of the legislative assembly.

5           **SECTION 21. LEGISLATIVE INTENT - CASE MANAGEMENT - PILOT PROJECTS.**  
6 It is the intent of the legislative assembly that the department of human services may establish  
7 pilot projects for expanded long-term care case management to assist functionally impaired  
8 adults in accessing necessary services to maintain the appropriate level of independence in the  
9 least restrictive setting at the lowest possible cost and that these pilot projects be financed  
10 within available department resources.

11           **SECTION 22. LEGISLATIVE INTENT - TRANSITIONAL SERVICES -**  
12 **DEVELOPMENTALLY DISABLED STUDENTS.** It is the intent of the legislative assembly that  
13 the disability services division of the department of human services, the office of special  
14 education of the department of public instruction, and local special education units explore  
15 opportunities for collaboration and shared funding in the provision of transition services to  
16 developmentally disabled students between the ages of eighteen and twenty-one.

17           **SECTION 23. LEGISLATIVE INTENT - WAGE INCREASES FOR LOW-INCOME**  
18 **DIRECT CONTACT STAFF OF COMMUNITY DEVELOPMENTAL DISABILITIES PROVIDER**  
19 **AGENCIES.** In addition to any wage increases for direct contact staff financed out of the  
20 annual inflationary adjustments contained in subdivision 2 of section 1 of this Act, it is the intent  
21 of the legislative assembly that community developmental disabilities provider agencies attempt  
22 to mitigate staff turnover during the 1997-99 biennium by augmenting the wages of low-income  
23 direct contact staff with \$4,300,000 appropriated within subdivision 2 of section 1 of this Act and  
24 allocated by the department of human services for such purpose.

25           **SECTION 24. LEGISLATIVE INTENT - WAGE INCREASES FOR CERTIFIED**  
26 **NURSE AIDE STAFF - NURSING HOME.** It is the intent of the legislative assembly that  
27 annual inflationary adjustments contained in subdivision 2 of section 1 of this Act for nursing  
28 home reimbursement be used by nursing homes to emphasize reducing certified nurse aide  
29 staff turnover by adjusting staff wages.

**SECTION 25. LEGISLATIVE INTENT - PILOT PROJECT FOR LOW-INCOME  
PARENTS PROVIDING SERVICES TO DEVELOPMENTALLY DISABLED ADULT  
CHILDREN - FEDERAL WAIVERS - BUDGET SECTION REPORTS.**

1. It is the intent of the legislative assembly that the department of human services seek appropriate federal waivers and establish a pilot program in one human service region to provide a subsidy on behalf of adult developmentally disabled children, age twenty-two and older, residing in the home of each adult child's parent or parents. The pilot program must:
  - a. Be limited to no more than five adult developmentally disabled children;
  - b. Provide subsidies substantially in the form of the family subsidy program;
  - c. Be limited to five hundred dollars per month per eligible adult developmentally disabled child; and
  - d. Be provided only on behalf of developmentally disabled adult children whose parent's income, not counting any form of means-tested public benefit, is no more than the federal poverty level applicable to a family of a size that includes the adult developmentally disabled child, that child's parent or parents, and minor children of that parent or those parents, living with the developmentally disabled adult child.
2. The pilot program required by this section must be based on policies developed and implemented without rulemaking that may be otherwise required under law.
3. The department shall study the provision of subsidies under this section and report on the status of available federal waivers and recommendations for the 1999-2001 biennium to the budget section of the legislative council.

**SECTION 26. EFFECTIVE DATE - EXPIRATION DATE.** Section 25 of this Act becomes effective on April 1, 1997, and is effective through June 30, 1999, and after that date is ineffective. Sections 14 and 15 are effective on August 1, 1997.

**SECTION 27. DEPARTMENT OF HUMAN SERVICES REPORTS TO BUDGET  
SECTION - HUMAN SERVICE CENTER BLOCK GRANT ACCOUNTABILITY.** The department of human services shall report to the budget section of the legislative council by June 30, 1998, regarding human service center block grant accountability including information regarding employee turnover and vacancies, human service center budget status and cash

1 flow, clinical services including persons served, changes in client demand for services, waiting  
2 lists, impact on deinstitutionalization, and external purchase of services, regional needs  
3 assessment and planning, and development of an evaluation and outcome report.

4 **SECTION 28. LEGISLATIVE INTENT - TRAUMATIC BRAIN INJURY PROGRAM**

5 **ESTABLISHMENT - DEVELOPMENTAL CENTER.** Notwithstanding section 15 of this Act  
6 regarding the moratorium on long-term care bed expansion, it is the intent of the legislative  
7 assembly that the developmental center be allowed to establish a traumatic brain injury  
8 program, subject to emergency commission and budget section approval, including up to  
9 twenty full-time equivalent employees, if the program can be established in a cost-effective  
10 manner funded from other departmental and third-party resources.

11 **SECTION 29. REPORTS TO BUDGET SECTION - WELFARE FRAUD -**

12 **COST-EFFECTIVENESS.** The department of human services shall periodically report to the  
13 budget section regarding the welfare fraud detection programs including reports on  
14 cost-effectiveness and avoidance, during the biennium beginning July 1, 1997, and ending  
15 June 30, 1999.

16 **SECTION 30. LEGISLATIVE COUNCIL STUDY - WELFARE REFORM**

17 **IMPLEMENTATION - DEPARTMENT OF HUMAN SERVICES REPORTING.** The legislative  
18 council shall consider studying during the 1997-98 interim the monitoring of North Dakota's  
19 welfare reform implementation efforts to determine the effectiveness of welfare reform. The  
20 department of human services and persons or parties conducting the review shall periodically  
21 report to the legislative council, or its designee, regarding the evaluation of welfare reform  
22 during the 1997-98 interim.

23 **SECTION 31. LEGISLATIVE COUNCIL STUDY - BASIC CARE RATE**

24 **EQUALIZATION.** The legislative council shall consider studying during the 1997-98 interim  
25 basic care rate equalization, including the cost impacts to the state and private pay residents.

26 **SECTION 32. EMERGENCY.** The appropriation contained in subdivision 4 of section 1  
27 of this Act for the state hospital includes \$1,295,000 of other funds for remodeling of state  
28 hospital buildings to accommodate the relocation of patients from buildings to be sold to the  
29 department of corrections and rehabilitation, which is declared to be an emergency measure  
30 and those funds are available immediately upon filing of this Act with the secretary of state.  
31 Sections 12, 17, 18, and 25 of this Act are declared to be an emergency measure.